

**Minutes of Meeting
Grafton Planning Board
September 26, 2011**

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A regular meeting of the Grafton Planning Board was held on Monday, September 26, 2011 in Conference Room A at the Grafton Municipal Center, 30 Providence Road, Grafton, MA. Present for the meeting were Chairman Bruce W. Spinney III, Vice-Chair Stephen Qualey, Clerk James Walsh III, Robert Hassinger and David Robbins. Staff present was Town Planner, Stephen Bishop and Assistant Planner Ann Morgan.

Chairman Spinney called the meeting to order at 7:00 p.m. and received unanimous consent to take Action Item 1-B out of order.

ACTION ITEM 1-B – BRIELLE ROAD CLOSEOUT -

Mr. Bishop brought the Planning Board up to date on the remaining balance of the “Brigham Corner” Subdivision peer review. Mr. Bishop recommended that the Board endorse the invoice voucher from Toll Brothers for \$43,387.32 based on the Board’s previous vote to condition the release of the remaining peer review fund for Brielle Road and correspondence submitted by Graves Engineering as evidence that Toll Brothers has completed all of the required tasks.

The Planning Board endorsed the invoice voucher, noting that this action will pave the way toward the process for Brielle Road to be accepted as a public road.

Mr. Bishop noted that the public road submissions for Brielle Road and the “Woods at Stonegate” Subdivision are scheduled for the Board of Selectmen’s meeting on October 4.

ACTION ITEM 1-C – BOND REDUCTION – NORTH GRAFTON PRESERVE (BRIGHAM HILL ESTATES)

After reviewing his submitted calculations, Mr. Bishop suggested the Board consider the “construction remaining” amount of \$2,330,287.00.

MOTION by Mr. Hassinger, **SECOND** by Mr. Qualey, to reduce the bond currently being held as security to \$2,330,287.00, based on correspondence from Graves Engineering and the requirements of the Subdivision Rules & Regulations. **MOTION** carried unanimously 5 to 0.

ACTION ITEM 1-A – CONSIDER DECISION – SPECIAL PERMIT (SP 2011-5) – ST. ANDREW’S EPISCOPAL CHURCH – 53 NORTH MAIN STREET, NORTH GRAFTON – SIGN RELIEF

Mr. Bishop informed the Board that the draft decision was written and presented so as to take into consideration and address the issue concerning both the existing sign and the proposed on-site sign.

Mr. Hassinger pointed out that Finding F-6 mistakenly stated that the public hearing had been left open rather than the record and requested a correction. Mr. Hassinger also noted that Condition C-2 was drafted with a blank fill-in space for the size of the pre-existing sign. Ms. Morgan stated the applicant had been asked to measure the sign and the information had just been provided today. Mr. Hassinger expressed concerns that he wanted to know what non-conformance issues the Board is acting on and that it is not made clear within the decision. Mr. Hassinger noted a correction to Finding F-5 to change the location reference to Exhibit #1.

Mr. Robbins noted a correction be made in Finding F-6 by striking the language “out of the right-of-way”.

Mr. Hassinger requested a language change in Finding F-8 stating that the entire sign is illuminated. Mr. Hassinger also noted there was nothing in Findings F-1 to F-9 dealing with the non-conformance issue and added that the specifics of the non-conformance had shifted somehow, resulting in no argument concerning the issue of reasoning for the new sign.

The Board suggested a new Finding be added, noted as Finding F-9-A, stating the previous sign was not visible from the roadway and the new sign will be oriented to provide more visibility.

MOTION by Mr. Qualey, **SECOND** by Mr. Walsh, to make favorable Findings for F-1 through F-9A, as corrected and modified. **MOTION** carried unanimously 5 to 0.

MOTION by Mr. Qualey, **SECOND** by Mr. Robbins, to make favorable Findings for F-10 through F-18 as drafted. **MOTION** carried unanimously 5 to 0.

MOTION by Mr. Walsh, **SECOND** by Mr. Qualey, to make favorable Findings for F-19 through F-28.

DISCUSSION: Mr. Hassinger wished to note that Finding F-23 should reflect the same conversation that was discussed previously with regard to the internal illumination of the sign.

MOTION carried unanimously 5 to 0.

MOTION by Mr. Walsh, **SECOND** by Mr. Qualey, to make favorable Findings for F-29 through F-36 as drafted. **MOTION** carried unanimously 5 to 0.

Mr. Robbins pointed out that with regard to the Waivers requested, the Board should consider Waiver W-1 independently of the others, since it was related to requested relief from the special permit application fee.

The Board discussed the problems associated with waiving application fees, specifically the vast differences between special permit applications, but also considering the amount of Staff time involved, non-profit status requests, and the size of the project involved. Mr. Hassinger pointed out that the Board had no track record of considerations for this request and nothing really to base their waiver on.

MOTION by Mr. Robbins to grant a waiver from the requested fees.

There was no second to Mr. Robbins motion.

MOTION by Mr. Robbins, **SECOND** by Mr. Hassinger, to deny the waiver. **MOTION** defeated 3 to 2 by roll call vote: Spinney-no; Robbins-no; Walsh-aye; Qualey-aye; Hassinger-aye.

MOTION by Mr. Qualey, **SECOND** by Mr. Walsh, to waive \$100.00 of the fee, making the amount due \$150.00.

DISCUSSION: Chairman Spinney noted this was not a set policy and Mr. Hassinger added he did not want the vote to set precedence.

MOTION carried 4 to 1 by roll call vote: Spinney-aye; Robbins-aye; Walsh-aye; Qualey-aye; Hassinger-no.

Chairman Spinney received unanimous consent to consider the Waivers on an individual basis.

Mr. Hassinger expressed concerns he had for Waiver W-2, noting that the information that the Board had received was inadequate to make a proper determination and that the Board needs to require better plans & drawings to be submitted. Mr. Hassinger added that he disagreed with Waiver W-2 (31).

MOTION by Mr. Qualey, **SECOND** by Mr. Walsh, to grant Waiver W-2 as drafted. **MOTION** carried 4 to 1 by roll call vote: Hassinger-no; Spinney-aye; Robbins-aye; Walsh-aye; Qualey-aye.

MOTION by Mr. Robbins, **SECOND** by Mr. Qualey, to grant Waiver W-3 as drafted. **MOTION** carried unanimously 5 to 0 by roll call vote.

MOTION by Mr. Qualey, **SECOND** by Mr. Robbins, to grant Waiver W-4 as drafted. **MOTION** carried unanimously 5 to 0.

MOTION by Mr. Walsh, **SECOND** by Mr. Qualey, to grant Waiver W-5 as drafted. **MOTION** carried unanimously 5 to 0 by roll call vote.

MOTION by Mr. Qualey, **SECOND** by Mr. Robbins, to grant Waiver W-6 as drafted.

DISCUSSION: Mr. Hassinger stated he did not think this waiver is required.

MOTION carried 4 to 1 by roll call vote: Spinney-aye; Robbins-aye; Walsh-aye; Qualey-aye; Hassinger-no.

MOTION by Mr. Qualey, **SECOND** by Mr. Robbins, to grant Waiver W-7 as drafted. **MOTION** carried unanimously 5 to 0 by roll call vote.

MOTION by Mr. Walsh, **SECOND** by Mr. Qualey, to grant Waiver W-8 as drafted. **MOTION** carried unanimously 5 to 0 as drafted.

MOTION by Mr. Qualey, **SECOND** by Mr. Walsh, to grant Special Permit SP 2011-5 with the Findings and Conditions as discussed and amended. **MOTION** carried unanimously 5 to 0 by roll call vote.

MINUTES OF PREVIOUS MEETINGS

MOTION by Mr. Qualey, **SECOND** by Mr. Hassinger, to approve the open session minutes of September 12, 2011 as drafted. **MOTION** carried unanimously 5 to 0.

STAFF REPORT

Mr. Bishop remarked that he had met with the Agricultural Commission last week and tried to provide enough direction for the members to move forward with their draft by-law.

Mr. Bishop informed the Board also that he had met with John Todd of Ecological Design, Inc., DEP, EPA and various contractors with regard to the coordinated dredging project about to take place for the cleanup of the Blackstone Canal area around Mill Villages Park. Mr. Bishop added they will be mobilizing on site and preparing to start work on October 3, which will allow for the signature portion of the cleanup of the site by the end of the year.

Mr. Bishop updated the Board on the Mill Villages Park, noting that they will be hydro-seeding this week, installing the 2 decorative cross walks across from the entrances to the Park, and laying the foundation for the Pavilion. Mr. Bishop added that the Park will be almost complete by the end of October.

Mr. Bishop stated that a meeting was also set up through Representative Peterson's office with the Fish and Game Department regarding a river access ramp, which would be designed, constructed and maintained in part by the Fish & Game Department and the Town performing its own routine maintenance for the area. Mr. Bishop added that this would not take place until the spring when the contractor returns to the site to finish the parking lot. Mr. Bishop remarked that Representative Peterson has also been instrumental in securing the necessary funding for the painting of the bridge and the placement of decorative lighting on Main Street.

Mr. Walsh read correspondence from the Mass Historical Commission declaring the Hassanamisco Reservation of Grafton, MA has been accepted by the National Park Service, Department of the Interior on September 6, 2011 and listed in the National Register of Historic Places.

Mr. Bishop suggested the Board consider cancelling the Planning Board meeting scheduled for October 3 due to the one week away proximity and the lack of agenda items. Mr. Hassinger noted his only concern was for any ANR's that may come into the office, suggesting they be handled as a special meeting since the next meeting will not be until October 24.

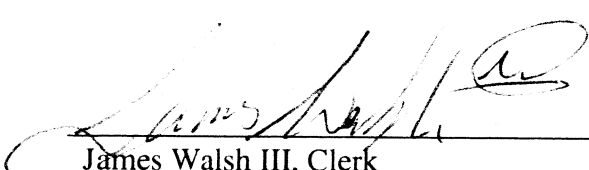
Chairman Spinney received unanimous consent to cancel the Planning Board meeting scheduled for October 3, 2011.

Chairman Spinney received unanimous consent to adjourn the meeting.

The meeting was adjourned at 8:09 p.m.

EXHIBITS

- **Item 1A: Consider Decision, St. Andrew's Episcopal Church (Applicant / Owner), 53 North Main Street, Signs – Special Relief**
 - Sheet SK-1, Proposed Location of New Sign, St. Andrew's Episcopal Church, 8 ½ x 11", black & white, no date, received September 21, 2011, 1 page.
 - Draft Decision, dated September 20, 2011, 10 pages.
- **Item 1B: Brielle Road Closeout**
 - Correspondence from Graves Engineering, Brielle Road (Brigham Corner) Acceptance Plan, As-Build Plan and legal Description Review, dated September 19, 2011, received September 20, 2011, 3 pages.
- **Item 1C: Bond Reduction – North Grafton Preserve (Brigham Hill Estates)**
 - Correspondence from Graves Engineering, Updated Engineer's Construction Cost Estimate, dated September 19, 2011 and received September 20, 2011, 5 pages.
 - Email correspondence between Town Planner and Toll Brothers Inc., dated September 19th and 20th, 2011, 1 page.
- **Item 5: Draft Meeting Minutes**
 - Grafton Planning Board, September 12, 2011, 5 pages.



James Walsh III, Clerk

